

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Werner BACK *et al.*

Title: **PROTEIN-CONTAINING PREPARATION WHICH CAN BE  
BIOTECHNOLOGICALLY PRODUCED, METHOD FOR  
THE PRODUCTION THEREOF, AND USE OF THE SAME  
AS A FOOD INGREDIENT**

Appl. No.: 10/528,191

International  
Filing Date: 10/10/2003

371(c) Date: 11/08/2005

Examiner: Felicia C. KING

Art Unit: 1784

Confirmation  
Number: 6627

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of a civil action under 35 U.S.C. § 145 or § 146 (unless the appeal or civil action is terminated).

1. Submission **required** under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

☐ Please enter and consider the amendment and/or reply previously filed on \_\_\_\_.

☐ Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_\_\_ but not considered.

☐ Please consider the arguments in the Appeal Brief or Reply previously filed on \_\_\_\_.

☐ Other \_\_\_\_.

b. Enclosed are:

☒ Amendment/Reply.

☐ Affidavit(s)/Declaration(s).

☐ Information Disclosure Statement.

☐ Form PTO/SB/08 with copies of \_\_\_\_ listed reference(s).

Miscellaneous:

☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$810.00	= \$810.00
Total Claims:	20	- 20	= 0	x \$52.00	= \$0.00
Independents	3	- 3	= 0	x \$220.00	= \$0.00

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First presentation of any Multiple Dependent Claims:	+	\$390.00	=	\$0.00
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CLAIMS FEE TOTAL:	=	\$810.00
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☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input checked="" type="checkbox"/> Extension for response filed within the first month:	\$130.00	1	\$130.00
<input type="checkbox"/> Extension for response filed within the second month:	\$490.00		\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$1,110.00		\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,730.00		\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,350.00		\$0.00
EXTENSION FEE SUBTOTAL:			\$130.00
EXTENSION FEE ALREADY PAID: -			\$0.00
EXTENSION FEE TOTAL			\$130.00
CLAIMS AND EXTENSION FEE TOTAL:			\$940.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):			\$0.00
<input type="checkbox"/> Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:			\$940.00

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The above-identified fees of \$940.00 are being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date December 23, 2010

By /Stephen A. Bent/

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Telephone: (202) 672-5404  
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Stephen A. Bent  
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Registration No. 29,768